



COUNCIL MINUTES

October 19, 2009

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on October 19, 2009 at 5:45 p.m.

COUNCIL PRESENT

Mayor Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Invocation by Councilmember Richins.

Pledge of Allegiance was led by Scout James Adams of Troop #457.

Mayor's Welcome.

Mayor Smith welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

Awards, Recognitions and Announcements

Mayor Smith announced that Congressman Harry Mitchell was present in the audience, and he added that the Council enjoys the privilege of meeting and working with other elected officials. He stated that Congressman Mitchell's District includes the area of Mesa west of Country Club Drive, and he noted that the Congressman served as the Mayor of the City of Tempe for many years. Mayor Smith advised that Congressman Mitchell, a member of the Aviation Subcommittee of the House Transportation Committee, provided valuable assistance to the City in securing grant funding for the Phoenix-Mesa Gateway Airport. He also acknowledged the efforts of Congressman Mitchell and his staff with regard to funding Light Rail Transit and the Salt River Restoration Project, in addition to identifying other funding opportunities.

Councilmember Kavanaugh thanked Congressman Mitchell for the participation of his Congressional staff in community activities and for their assistance with regard to issues that impact his constituents.

Congressman Mitchell thanked the Mayor and Council for their recognition, and he noted that City of Mesa issues are also important to his Congressional District and to the State of Arizona. He said that the City's success in securing grant funding is due in large part to the efforts of City staff, and he added that representatives from the City of Mesa were always welcome to visit his office.

Mayor Smith stated that the City aggressively seeks grants that have minimal or manageable conditions as a means of returning taxpayer dollars to the citizens of Mesa. He complimented City staff for their effectiveness in preparing the grant applications.

City Manager Christopher Brady said that he wanted to recognize the members of City staff who have had exceptional success in securing grant funds at both the State and National level.

Mr. Brady reported that the City was awarded 100 percent of the Community Oriented Policing Services (COPS) grant funds for which the City applied. He noted that this was a significant accomplishment because only ten percent of the applications were awarded funding. Mr. Brady requested that the following individuals come forward to be recognized for their efforts:

Lieutenant Steve Lieber
Detective Diana Vaughn
Management Assistant Beth Thuringer
Assistant Police Chief Mike Dvorak
Police Chief Vicki Myers (Interim)

Detective Mark Cormier (not present)
Police Fiscal Administrator Lisa Quedens
Assistant Police Chief Mike Denney
Assistant Police Chief John Meza

Mr. Brady advised that the application for fire station construction grant funds had a very short turnaround time. He said that although the Fire Department served as the lead department in preparing the application, the process required the efforts of several City departments, which provided another example of City employees successfully working together to serve the community. Mr. Brady invited Assistant Fire Chief Jim Bloomer, who led the effort and was recently promoted to the Assistant Chief position, to come forward along with the following individuals who contributed to the application process:

Fire Fighter Tony Lo Giudice
Deputy Engineer Fred Rustam
Senior Civil Engineer Shahir Safi
Environmental & Sustainability Director Scott Bouchie
Development Services Special Projects Manager Laura Hyneman
Real Estate Services Specialist Kim Fallbeck

Mayor Smith announced that the Planning Department recently received awards from the Arizona Planning Association for the West Main Street Plan and the Gateway Strategic Development Plan. He noted that planning creates the vision that can encourage and facilitate private investment. Mayor Smith commended the Planning Department for their creativity in "raising the bar" while "lowering the barriers." He proclaimed the month of October 2009 as National Community Planning Month in the City of Mesa in recognition of the Planning Department's accomplishments.

Councilmember Somers reported that he accompanied the Planning Department staff to Prescott on Thursday for the award presentation. He stated that the Gateway Strategic Development Plan injects flexibility in land use while maintaining compatibility with the Phoenix-Mesa Gateway Airport. Councilmember Somers noted that the award is shared with members of the community who participated in the process and invested in the vision.

Planning Director John Wesley thanked the Mayor and Council for recognizing the work of the Planning Division. He noted that the Gateway Strategic Development Plan is also a Transportation Plan, and he stated that the contributions of the Transportation Department and Economic Development staff should also be acknowledged. Mr. Wesley invited Deputy Transportation Director Mike James and the Transportation Department's Neighborhood Outreach Coordinator, Jodi Sorrell, who coordinated the public outreach, to come forward to be recognized.

Mayor Smith thanked everyone who contributed to these efforts.

1. Take action on all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Councilmember Somers, seconded by Vice Mayor Jones, that the consent agenda items be approved.

Carried unanimously.

*2. Approval of minutes of previous meetings as written.

Minutes of the October 1 and 5, 2009 Council meetings.

3. Conduct a public hearing prior to release of the petition for signatures for the following proposed annexation:

- 3a. **A07-36 (District 6)** Annexing one parcel of land located on Pueblo Avenue just west of Crismon Road (19.30 +/- acres). Initiated by Jeffrey D. Tang, owner of the Rancho Reata Mobile Home Park.

Mayor Smith announced that this was the time and place for a public hearing regarding the annexation of land located on Pueblo Avenue just west of Crismon Road.

There being no citizens present who wished to speak on this issue, the Mayor declared the public hearing closed.

4. Take action on the following liquor license applications:

- *4a. El Zaribah Shrine Unit – **Deleted.**

- *4b. St. Bridget Catholic Church

This is a one day charitable event to be held on Saturday October 24, 2009 from 5:00 p.m. to 10:00 p.m. at 2213 N. Lindsay Road (**District 5**).

*4c. Bahia De Kino

New Restaurant License for Bahia De Kino, 1040 W. Broadway Rd., Jada Enterprises, LLC – H. J. Lewkowitz, Agent. The previous Restaurant License held at this location by Marily LLC will revert back to the State **(District 4)**.

*4d. Dub's Family Grill & Bar

New Restaurant License for Dub's Family Grill & Bar, 1925 S. Sossaman Rd., Ste 101, East Coast Ventures AZ, Inc. – Abdul Walie Ansari, Agent. The previous Restaurant License held at this location by Sluggos East LLC was terminated with the State on March 31, 2009 **(District 6)**.

*4e. Jimbo's Good Times Grill

New Restaurant License for Jimbo's Good Times Grill, 6102 E. Main St., Jimbo's Good Times Grill LLC – James D. Skoglund, Agent. The previous Restaurant License held at this location by 6110 Corp Inc. was terminated with the State on March 31, 2009 **(District 5)**.

5. Take action on the following contracts:

*5a. Dollar Limit Increase for Aluminum Sulfate for the Water Resources Department **(Citywide)**.

The Purchasing Division recommends increasing the purchase order by \$74,000.00 to the original contract with General Chemical Performance Products from \$156,860.00 to \$230,860.00 annually.

*5b. Term Contract for Firefighting Foam for the Fire Department **(Citywide)**.

The Purchasing Department recommends awarding the contract to the lowest, responsible and responsive bidder, L. N. Curtis & Sons at \$40,000.00 annually, based on estimated requirements.

*5c. Term Contract for Gradation Glass Beads for Pavement Markings for the Materials & Supply Warehouse **(Citywide)**.

The Purchasing Division recommends authorizing purchase from Potters Industries, Inc. at \$55,000.00 annually, based on estimated requirements.

*5d. Term Contract for Helicopter Engine Parts for the Police Department, Aviation Unit **(Citywide)**.

The Purchasing Division recommends awarding the contract to the lowest, responsible and responsive bidder, AeroMaritime America Inc., a Mesa business, at \$390,000.00 annually, based on estimated requirements.

*5e. Purchase of Storage Area Network Hardware for the Police Department from Various Cooperative Contracts **(Citywide)**.

The Purchasing Division recommends authorizing purchase from multiple vendors through various cooperative contracts with GTSI Corporation at \$38,825.44, IT Partners at 69,622.18, Dell Marketing LP at \$13,230.33, Hewlett Packard at \$86,034.44, and Insight at \$79,704.29, including applicable taxes. The combined purchase total is \$287,416.68.

- *5f. Purchase of Aircraft Surveillance Camera Equipment for the Police Department (Fully Funded Public Safety Bond) **(Citywide)**.

The Business Services Department recommends awarding the contract to the lowest, responsible and responsive bidder, Aero Avionics, Inc. dba AeroServices at \$751,669.25, including applicable use tax.

- *5g. Wastewater Diversion Structures Rehabilitation, Ellsworth Road and Baseline Road, and 56th Street and Broadway Road **(Districts 5 and 6)**.

City Project No. 01-687-004. This project will rehabilitate two of the City's diversion structures, Ellsworth Road and Baseline Road and 56th Street and Broadway Road. The existing concrete structure will be cleaned, and any structurally deficient concrete removed. New concrete is then bonded to the existing concrete, restoring the structure to its original thickness. The manhole is then coated with a corrosion resistant epoxy coating, which protects the manhole from the corrosive action of wastewater.

Recommend award to the low bidder, JPCI Services, in the amount of \$86,389.00 plus an additional \$8,638.90 (10% allowance for change orders) for a total award of \$95,027.90. This project is funded from the approved FY 09/10 Wastewater Capital Bond Program.

- *5h. Bus Pullout and Shelter, Southwest Corner of Dobson and Baseline Roads **(District 3)**.

City Project No. 09-903-001. The bus stop at the southwest corner of Dobson and Baseline Roads currently has no shelter or pullout. This project will install a Mesa Standard Shelter complete with two benches, waste receptacles, solar lighting, bike loops and shade screens for bus passengers to use. The bus pullout will provide safe conditions for both bus and passenger vehicle traffic at this location.

Recommend award to the low bidder, Caymus Corporation, in the amount of \$42,842.60 plus an additional \$4,284.26 (10% allowance for change orders) for a total award of \$47,126.86. This project will be funded with the approved FY 09/10 Mass Transit Capital Budget.

6. Take action on the following resolutions:

- *6a. Approving and authorizing the City Manager to execute a Cooperative Agreement with the National Institute of Justice to accept grant funds in the amount of \$388,218 for overtime, travel, training and equipment to assist with investigation of unsolved cases in the Police Department – Resolution No. 9572

- *6b. Approving and authorizing the City Manager to execute a Grant Agreement with the United States Department of Justice to accept grant funds in the amount of \$275,000 for software for the Police Department to manage the collection, storage and analysis of data related to major criminal cases – Resolution No. 9573.
- *6c. Approving and authorizing the City Manager to execute a Subgrant Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$90,000 for equipment for the Police Department's Explosive Ordnance Device Team – Resolution No. 9574.
- *6d. Approving and authorizing the City Manager to execute a Subgrantee Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$230,000 for a replacement vehicle for the Police Department's Explosive Ordnance Device Team – Resolution No. 9575.
- *6e. Approving and authorizing the City Manager to execute a Subgrantee Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$98,400 to add barrier protection to the east and south entrance areas of the Police Department Headquarters Complex (130 North Robson) – Resolution No. 9576.
- *6f. Approving and authorizing the City Manager to execute a Subgrantee Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$100,000 for a tactical ramp system for the Police Department – Resolution No. 9577.
- *6g. Approving and authorizing the City Manager to execute a Subgrantee Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$561,910 for a Mobile Communications Redundancy System for the Police Department – Resolution No. 9578.
- *6h. Approving and authorizing the City Manager to execute a Subgrantee Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$320,000 for equipment, replacement vehicle and training for the Police Department Rapid Response Team program – Resolution No. 9579.
- *6i. Approving and authorizing the City Manager to execute a Subgrantee Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$47,759 to purchase eight cache radios for the Police Department – Resolution No. 9580.
- *6j. Approving and authorizing the City Manager to execute a Subgrantee Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$320,000 for equipment and training for the Fire Department's Rapid Response Team – Resolution No. 9581.
- *6k. Approving and authorizing the City Manager to execute a Subgrantee Agreement with the Arizona Department of Homeland Security to accept grant funds in the amount of \$311,585 for equipment, training and planning for the Fire Department's Metropolitan Medical Response System – Resolution No. 9582.
- *6l. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Salt River Pima-Maricopa Indian Community for the receipt and administration of

grants in the amount of \$237,191.29. Mesa Public Schools: \$75,000 to continue their Native American Education Program and City of Mesa: \$50,000 for playfield improvements at Beverly Park, \$50,000 for development of a public job search and preparation center at the Library Main Branch and \$62,191.29 for heart monitors for the Fire Department – Resolution No. 9583.

- *6m. Granting aerial and ground easements to Salt River Project across City-owned property located in the 14000 block of South Power Road – Resolution No. 9584. **(District 6)**

These easements are being requested by Salt River Project to relocate existing power poles as part of a Town of Gilbert Road project.

- *6n. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Regional Public Transportation Authority (RPTA) to define responsibilities for funding, right-of-way acquisition, construction, operation and maintenance of the Arizona Avenue/Country Club Bus Rapid Transit project. (Funded by the American Recovery and Reinvestment Act) – Resolution No. 9585. **(Districts 3 and 4)**

- *6o. Authorizing the use of eminent domain to acquire property and property rights for the Arizona Avenue/Country Club Bus Rapid Transit Project – Resolution No. 9586. **(Districts 3 and 4)**

In order to meet the construction schedule, immediate possession is necessary for the remaining six properties.

- *6p. Authorizing the Phoenix Mesa Gateway Airport Authority to issue tax exempt revenue bonds in the amount of \$6,460,000 on behalf of Embraer Aircraft Holding, Inc. – Resolution No. 9587. **(District 6)**

- *6q. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Phoenix Mesa Gateway Airport Authority for reimbursement of expenses associated with providing dedicated law enforcement services beginning with \$334,540 for FY 09/10 – Resolution No. 9588. **(District 6)**

7. Take action on the following subdivision plat:

- *7a. “MAP OF DEDICATION FOR MOUNTAIN BRIDGE DRIVE PHASE 3 & MCKELLIPS ROAD PHASE 2” – **(District 5)** – 8702 East McKellips Road (both sides) located east and south of McKellips and Hawes Roads. (10.4 ac.) Jeff Blandford, manager, Pinnacle Ridge Holdings, L.L.C., owner; Darrell Smith, Wood, Patel & Associates, Inc., engineer.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the meeting adjourned at 6:25 p.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 19th day of October 2009. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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